

Gregory P. Arakawa (State Bar No. 159023)
garakawa@wshblaw.com
Michael G Kline (State Bar No. 212758)
mkline@wshblaw.com
WOOD, SMITH, HENNING & BERMAN LLP
1401 Willow Pass Road, Suite 700
Concord, California 94520-7982
Phone: 925 222 3400 ♦ Fax: 925 356 8250
Attorneys for Third Party Defendant JENSEN'S OLD FASHIONED SMOKEHOUSE, INC.

CHRISTOPHER VAN GUNDY (SBN: 152359)
christopher.vangundy@gmail.com
LAW OFFICES OF CHRISTOPHER VAN GUNDY
351 California Street, Suite 615
San Francisco, CA 94104
Tel.: (415) 871-0070
Fax: (415) 495-8590
Attorneys for Plaintiff AUTHENTIC ALASKA, LLC, d/b/a DEAR NORTH

Roger M. Mansukhani (SBN: 164463)
rmansukhani@grsm.com
JOAN C. WOODARD (SBN: 129710)
jwoodard@grsm.com
GORDON REES SCULLY MANSUKHANI, LLP
3 Parkcenter Drive, Suite 200
Sacramento, CA 95825
Telephone: (916) 565-2900
Facsimile: (916) 920-4402
Attorneys for Defendant ASSEMBLERS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

AUTHENTIC ALASKA, LLC (dba) DEAR
NORTH,

Plaintiff,

v.

ASSEMBLERS, INC., ASSEMBLERS FOOD
PACKAGING LLC, and DOES 1-20,

Defendants.

AND RELATED THIRD-PARTY ACTION

Case No. 3:17-cv-05675-RS

**STIPULATION AND ~~[PROPOSED]~~
ORDER FOR VOLUNTARY DISMISSAL
OF ALL ACTIONS [F.R.C.P. 41]**

The Hon. Richard Seeborg

Trial Date: 3/25/19

Complaint Filed: 10/2/17

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Authentic Alaska, LLC d/b/a Dear North ("Authentic Alaska"), Defendant Assemblers Food Packaging, LLC, Defendant and Third-Party Plaintiff Assemblers, Inc. ("Assemblers"), and Third-Party Defendant Jensen's Old Fashioned Smokehouse, Inc. ("Jensen's") (collectively, the "Parties"), hereby stipulate and voluntarily dismiss their respective actions, as follows:

STIPULATION

WHEREAS, a dispute has arisen between the Parties regarding the production of certain salmon snacks;

WHEREAS, on or about October 2, 2017, Authentic Alaska commenced the action Authentic Alaska, LLC (dba) Dear North v. Assemblers, Inc. et al. in the United States District Court for the Northern District of California, Civil Action No. 4:17-cv-05675 against Assemblers, asserting negligence, breach of contract and other claims (the "Action");

WHEREAS, on or about June 7, 2018, Assemblers filed a Third-Party Complaint against Jensen's entitled Assemblers, Inc. v. Jensen's Old Fashioned Smokehouse, Inc. in the United States District Court for the Northern District of California, Civil Action No. 3:17-cv-05675-RS for equitable indemnity and other relief (the "Third-Party Action") (the Action and Third-Party Action, collectively, the "Litigation");

WHEREAS, the Parties desire to avoid the cost and uncertainty of further legal proceedings, and without waiver of their respective positions in the Litigation, the Parties have negotiated a confidential settlement of all disputes between them, including the Action and Third-Party Action,

///

///

///

///

///

///

///

1 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

2 1. Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff
3 Authentic Alaska, LLC d/b/a Dear North, by and through its undersigned counsel, hereby
4 voluntarily dismisses the above-entitled Action against Defendant Assemblers, Inc. and Defendant
5 Assemblers Food Packaging, LLC; and

6 2. Pursuant to Rule 41(c) of the Federal Rules of Civil Procedure, Third-Party
7 Plaintiff Assemblers, Inc., by and through its undersigned counsel, hereby voluntarily dismisses
8 the above-entitled Third-Party Action against Third-Party Defendant Jensen's Old-Fashioned
9 Smokehouse, Inc.

10 IT IS SO STIPULATED.

11 DATED: March 27, 2019

WOOD, SMITH, HENNING & BERMAN LLP

12
13 By: /s/ Michael G. Kline

14 GREGORY P. ARAKAWA

MICHAEL G KLINE

15 Attorneys for Third Party Defendant JENSEN'S OLD
16 FASHIONED SMOKEHOUSE, INC.

17 DATED: March 27, 2019

LAW OFFICES OF CHRISTOPHER VAN GUNDY

18
19
20 By: /s/ Christopher Van Gundy

21 CHRISTOPHER VAN GUNDY

22 Attorneys for Plaintiff AUTHENTIC ALASKA, LLC
23 D/B/A DEAR NORTH

24 DATED: March 27, 2019

GORDON REES SCULLY & MANSUKHANI, LLP

25 By: /s/ Joan C. Woodard

26 Joan C. Woodard

27 Attorneys for Defendants ASSEMBLERS, INC. and
28 ASSEMBLERS FOOD PACKAGING, LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to stipulation, and for good cause shown, **IT IS SO ORDERED.**

Dated: 3/28, 2019



Honorable Richard Seeborg
United States District Judge

WOOD, SMITH, HENNING & BERMAN LLP
Attorneys at Law
1401 WILLOW PASS ROAD, SUITE 700
CONCORD, CALIFORNIA 94520-7982
TELEPHONE 925 222 3400 • FAX 925 356 8250